

"Flags are disposed corresponding to the line number (No.) in the selected line number memory section 32, as shown in FIG. 5, and composed to enable the retrieval of the line to be captured in case of emergency call. Here, the line of the line number "3" is supposed to be the line corresponding to the emergency call. As shown in FIG. 6, the dial memory section for special line 29 stores previously the data of the dial number to be transmitted in case of emergency call, in response to the line number (No.). Here, it is shown that the data of the dial number "911" should be transmitted to the line of the line number "3"." Col. 10. lines 2-13 (emphasis added)

Column 11 of Tanaka reiterates the capture of a preselected trunk line when 911 is dialed. "If the dial data delivered from the dial data detection section 24 agrees with the given emergency dial number "911", the connection line control section 31 accesses the selection line number memory section 32 to read out the line number (No) to be captured by the line interface (S205). Here, as the line number "3" is stored in the selection line number memory section 32, the line number "3" will be obtained. Moreover, the connection line control section 31 creates the release data of the line actually captured by the digital key telephone 2 and the data of the line number "3" of the line to be connected and sends these data to the speech highway control section 27 (S206)." Col. 11, lines 14-25.

Column 12 of Tanaka explains that, regardless of the line selected by the user, the system routes 911 calls to a preselected trunk line and that other calls may not capture the trunk line reserved for 911 calls.

"According to the present embodiment, when the user wants to originate the emergency call, he/she is only required to capture the line by the off-hook by unhooking the hand set 22 of an extension terminal or the operation of the extension key, the station line key or the leased line key and to key input the dial data for emergency call for releasing once the actually captured line and then capturing the line for emergency call to originate the emergency call. As a consequence, when the user wants to originate the emergency call, the user has only to key-input the dial data for emergency call without paying attention to the kind of line to be captured. Consequently, even when the user is flustered, he/she can originate the emergency call rapid and securely, and this advantage is quite remarkable. Note that, a plurality of lines may be provided for the emergency call, though it was supposed to be one line in this example. Moreover, the control section 11-2 controls the capture inhibition so that the line for emergency call may not be captured by an ordinary call." Col. 12, lines 16-34 (emphasis added).

From the foregoing it is clear that Tanaka teaches a system by which one or more trunk lines are reserved for 911 calls, other calls are not permitted to use the reserved trunk line(s) and 911 calls are automatically routed to the reserved trunk line(s). This is quite different from what is claimed in claim 1.

The present invention relates to the priority routing of emergency calls made behind a PBX/MLTS before reaching a public network trunk line. See Figure 1 of the instant application and note the connections between 10 and 16. It is here that the present invention prioritizes emergency calls. Tanaka teaches a completely different system regarding the assignment of trunk lines. The assignment of trunk lines has nothing to do with the present invention. Tanaka does not teach or suggest the prioritizing of calls within a private network. In fact, Tanaka specifically teaches away from this in Col. 12 where it is stated that:

“According to the present embodiment, when the user wants to originate the emergency call, he/she is only required to capture the line by the off-hook by unhooking the hand set 22 of an extension terminal or the operation of the extension key, the station line key or the leased line key and to key input the dial data for emergency call for releasing once the actually captured line and then capturing the line for emergency call to originate the emergency call.” Col. 12, lines 16-23 (emphasis added).

Tanaka thus states that even if a leased line is selected, the apparatus will release that line and select the predetermined emergency trunk line when the user dials 911. The present invention concerns the internal routing of emergency calls over a private network, something not contemplated by Tanaka.

On page 5 of the Final Office Action, the Examiner responds to these arguments by stating that “Tanaka does teach the prioritizing of calls within the private network (reads on PBX system) as evidenced by steps 306 and 308 of fig. 3.”

It is respectfully submitted that the error of the Examiner’s rejection lies in the confusion of the PBX system and the claimed private network. Claim 1 specifies a “PBX/MLTS coupled to a private network”. As mentioned above, this can be seen in Figure 1 of the application where 10 is the claimed PBX/MLTS and the connections between 10 and 16 are the claimed private network. According to claim 1, the emergency call “takes priority over other calls in traversing said private network before reaching a public network trunk.”

Tanaka discloses a PBX system coupled to the public network (trunk lines). An emergency call in Tanaka is given priority for a trunk line. It is not given priority for traversing a private network. The Examiner reasons that the PBX system in Tanaka is “a private network”, but if that interpretation is taken, there is an element in claim 1 unaccounted for, i.e. the claimed PBX/MLTS. If Tanaka’s PBX is the claimed private network, there needs to be another PBX coupled to it to read on claim 1. However, Tanaka specifically teaches that his PBX is not

coupled to a private network, it is coupled to a public network (trunk lines) when handling an emergency call.

The focus of the invention claimed in claim 1 is to prioritize “an emergency call made from behind a PBX/MLTS coupled to a private network” such that “said call takes priority over other calls in traversing said private network before reaching a public network trunk.” The PBX system in Tanaka cannot be BOTH the claimed PBX and the claimed private network.

Interestingly, Tanaka DOES disclose a PBX connected to a private network (the leased line 30 in Figure 4). However, as mentioned above, Tanaka specifically teaches that the private network is NOT to be used for emergency calls.

Regarding claim 8, according to the Examiner on page 3 of the Final Office Action, “Tanaka further discloses an apparatus (fig. 4) for processing an emergency call made from behind PBX/MLTS for determining whether dialed digits represent an emergency number (fig. 4, col. 10, 1ines 14-30), means for assigning priority (fig. 6, col., 10 lines 8-13) within the PBX/MLTS to a call determined to be an emergency call (fig. 7, col. 10, lines 48-67, col. 11, lines 1-67, col. 12, lines 1-35)...” This is substantially the same rejection as the rejection of claim 1 but for the inclusion of Figure 7 of Tanaka which is fully discussed at cols. 10-12 of Tanaka. Thus, the cited teachings of Tanaka utilized in this rejection are the same as those discussed above.

Claim 8 is an apparatus claim which closely corresponds to the method claim 1. Thus, the arguments made above regarding claim 1 apply equally to claim 8.

In view of the above, Claims 1 and 8 are believed to be allowable over the cited art.

Claims 2, 3, 9, and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of Hoskinson et al. (US PAT: 5,339,351, hereinafter Hoskinson). This rejection is respectfully traversed.

According to the Examiner, “Tanaka teaches the following: storing a port number for each device/trunk in the PBX/MLTS and determining from which port the emergency call originated (col. 9, 1ines 63-67, col. 10, 1ines 1-30); but he does not teach the following: associating an emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point the ELIN associated with the port from which the emergency call originated.”

According to the Examiner, “Hoskinson discloses a emergency response system which teaches the following: associating an emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point (reads on

emergency response center 23 in fig. 1) the ELIN associated with the port from which the emergency call originated (col. 7, lines 18-20, fig. 3, col. 7, lines 56-68, col. 8, lines 1-4).

According to the Examiner, "it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Tanaka's system to provide for the following: associating an emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point the ELIN associated with the port from which the emergency call originated as this arrangement would enable the operator at the emergency response center to dispatch necessary help to the emergency caller as is well known in the art."

Insofar as claims 2 and 3 depend from claim 1, the remarks made above regarding claim 1 apply to this rejection as well. Similarly, insofar as claims 9 and 10 depend from claim 8, the remarks made above regarding claim 8 apply to this rejection as well.

Claims 2 and 9 relate to the association of a port equipment number with an ELIN and claims 3 and 10 relate to transmitting the appropriate ELIN to the PSAP.

The Examiner admits that Tanaka does not teach or suggest the features of claims 2, 3, 9, and 10. He suggests that these features are taught by Hoskinson and that it would have been obvious to combine the teachings of Hoskinson with those of Tanaka. It was not clear from the Examiner's initial rejection what the incentive would have been to make this combination. The rejection stated that "this arrangement would enable the operator at the emergency response center to dispatch necessary help to the emergency caller as is well known in the art." However, the Examiner did not originally cite a single reference to establish that this indeed is "well known in the art".

On page 7 of the Final Office Action, the Examiner cites col. 1, lines 29-35 of Hoskinson as supplying the incentive to combine the references. That portion of Hoskinson states: "With ANI, a 911 dispatcher receives a visual display of the telephone number associated with the telephone that originated the 911 call. With ALI, the dispatcher also receives a visual display of the name and address associated with the calling telephone number. Obviously, the extra information aids in promptly responding to the emergency." It is difficult to imagine how this section of Hoskinson would motivate someone to modify Tanaka to associate port equipment numbers with ELINs. It seems more likely that the suggestion would be to associate names and addresses with telephone numbers.

In view of the argument set forth hereinabove, claims 2-3 and 9-10 are believed to be allowable.

Claims 4-7 and 11-14 are indicated as allowable if rewritten in independent form. Since the claims upon which these rejected claims depend are believed to be allowable (for the reasons set forth hereinabove), rejected claims 4-7 and 11-14 have not been amended and are believed to be allowable as they stand on the record.

Claims 15 and 16 stand rejected under 35 USC 102(e) as anticipated by Yrjana. This rejection is respectfully traversed.

Claims 15 and 16 require that the emergency call in a PBX/MLTS, as determined by the dialed digits, be given priority without interrupting an existing call.

Yrjana relates to data communication networks. In particular, it “relates to a procedure and a system for ensuring emergency communication in a data communication network in which the terminal devices (4a, 4a, 4c) are connected to a telephone exchange (1) via an access node (3) consistent with the V5 standard...[E]mergency communication by a subscriber in the event of a failure of the V5 interface used by the subscriber is ensured by using an emergency V5 interface (6) created in the access node and a range [sic] of addresses created for this purpose in the telephone exchange.” Yrjana Abstract (emphasis added). The objective of Yrjana is “to make sure that calls to emergency numbers of subscribers connected to an access node can be set up even when the V5 interface between the access node and the telephone exchange is out of order.” Col. 1, lines 50-54 of Yrjana (emphasis added).

Yrjana provides a system which is actually the opposite of the invention claimed in claims 15 and 16. The present invention, which operates continuously, gives priority to emergency calls without interrupting non-emergency calls. Yrjana’s system, which operates only when the V5 interface is out of order, prohibits all calls except for emergency calls. To say that Yrjana operates without interrupting other existing calls is misleading because there are no other existing calls.

The Examiner interprets exchange terminal 10 in Figure 2 of Yrjana as reading on the claimed PBX/MLTS. The Examiner is less clear about where an emergency call is “assigned priority” (actually processed rather than rejected). According to claims 15 and 16, priority is assigned “within the PBX/MLTS to a call determined to be an emergency call”. However, in Yrjana, it would appear that priority (access rather than rejection) is assigned within the access node 3 which includes “means 7 for allocating a new V5 subscriber address for the subscriber from the set of subscriber addresses of the separate V5 interface in the event of a failure of a connection via the V5 interface used by the subscriber.” Column 4, lines 58-62 of Yrjana. Thus, even accepting the strained interpretation of Yrjana suggested by the Examiner, the limitations of

claims 15 and 16 are still not met. Further, there is nothing in Yrjana which suggests that an emergency call be "assigned priority within the PBX/MLTS".

In addition, according to claims 15 and 16, the detection of an emergency call is performed within the PBX/MLTS. Yrjana states that detection of an emergency call is [performed by means 8 within the exchange 1. If the Examiner's interpretation were to really read on the claims, the detection would have to take place within 10, not within 1.

Accordingly, claims 15-16 are believed to be allowable as they stand on the record.

In conclusion, therefore, it is submitted that all the claims of record are allowable, as they stand, over the art of record.

In view of the foregoing, it is respectfully requested that the pending claims be reconsidered and that the rejections of record be withdrawn.

It is respectfully submitted that all claims of record are in condition for allowance. Reconsideration and allowance at an early date is respectfully requested,

Respectfully submitted,



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